

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 646 of 2015

Niranjan Kumar Sahu S/o Neelkanth Sahu Aged About 34 years Caste Sahu R/o Village Sargaon, Police Station Sargaon, Tehsil Pathariya, Civil & Revenue District Mungeli Chhattisgarh

----Applicant

Versus

State Of Chhattisgarh Through : Station House Officer, P.S. Baki Mongra, District Korba, Chhattisgarh

---- Respondent

For Applicant	-	Shri Sandeep Yadav, Advocate
For Respondent/State	-	Shri Satish Gupta, Government Advocate

Order On Board

13/08/2015

Heard.

1. The applicant is apprehending his arrest in connection with Crime No.68/2015 registered at police station–Baki Mongra, District-Korba, Chhattisgarh for alleged commission of offence under Section 407, 109, 411, 34 of IPC.
2. Prosecution case is that huge quantity of coal, in the course of transportation, was diverted and the driver of the vehicle unauthorizedly sold it to the applicant.
3. Learned counsel for the applicant submits that he has not committed any offence and only on the basis of suspicion, his name has been involved, no proper enquiry has been made by the Police authorities before registering offence. There is no coal depot operated by the name of the applicant.
4. On the other hand, learned State counsel opposes prayer for grant of anticipatory bail and submits that in the memorandum of the driver, who has been arrested, it has been stated that the coal was diverted and sold to the applicant.

5. Taking into consideration the aforesaid circumstance that the applicant has been named as the person to whom the coal is said to have been sold, I am not inclined to grant anticipatory bail to the applicant.
6. The bail application is rejected.

Sd/-
Manindra Mohan Shrivastava
J U D G E